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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

FILED

NOV 24 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

JACK DUBBS, individually, and JACK DUBBS)
as Father and next Friend of TIFFANI DUBBS, a)
minor; FRANCISCO AGUIRRE, Individually and)
FRANCISCO AGUIRRE, as Father and Next Friend)
of JESSICA AGUIRRE, a minor; JOY BROWN,)
Individually, and JOY BROWN as Mother and Next)
Friend of MARI BROWN, a minor; KEENYA)
COWANS, Individually, and KEENYA COWANS as)
Mother and Next Friend of KEYMIYA COWANS, a)
minor; SHANIKA CROWLEY, Individually, and)
SHANIKA CROWLEY as Mother and Next Friend of)
KWANITA M. CROWLEY, a minor; LISA ANN)
DEERINWATER, Individually, and LISA ANN)
DEERINWATER as Mother and Next Friend of)
MARIA DEERINWATER, a minor; RAICHELE)
LOFTIN, Individually, and RAICHELE LOFTIN as)
Mother and Next Friend of QUENTEN LOFTIN, a)
minor; STEPHANIE PEARSON, Individually, and)
STEPHANIE PEARSON as Mother and next Friend)
of KRISTEN PEARSON, a minor; ELISHA)
PORTERFIELD, Individually, and ELISHA)
PORTERFIELD, as Mother and Next Friend of)
LaQUANTE PORTERFIELD, a minor; DAPHINE)
SUDDARTH, Individually, and DAPHINE)
SUDDARTH as Mother and Next Friend of)
RONISHA SUDDARTH, a minor,)

Plaintiffs,)

vs.)

HEAD START, INC., an Oklahoma Corporation;)
INDEPENDENT SCHOOL DISTRICT)
NO. 1 OF TULSA COUNTY, OKLAHOMA;)
COMMUNITY ACTION PROJECT OF TULSA)
COUNTY, OKLAHOMA, an Oklahoma)
Not-For-Profit Corporation; TULSA CITY-)
COUNTY HEALTH DEPARTMENT; KD)
ENTERPRISES, INC., an Oklahoma Corporation;)
DOE GOVERNMENT AGENTS 1 through 5;)
JACKIE STRAYHORN, ARNP; K. BAKER, RN;)
PEGGY DOE; JOHN DOES 1 through 10;)
and JANE DOES 1 through 10,)

Defendants.)

Case No. 99CV0732 B (E) ✓

) DEFENDANT COMMUNITY ACTION
) PROJECT OF TULSA COUNTY,
) OKLAHOMA'S MOTION TO DISMISS
) FOR FAILURE TO STATE A CLAIM
) UPON WHICH RELIEF CAN BE GRANTED

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DIB C15

Defendant Community Action Project of Tulsa County, Oklahoma, hereby respectfully moves for the entry of an Order dismissing the plaintiffs' claims for failure to state a claim upon which relief can be granted, pursuant to the provisions of Rule 12 (b)(6) of the Federal Rules of Civil Procedure. The arguments and the authorities in support of this motion are contained in the simultaneously filed supporting brief.

Respectfully submitted,



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TULSA COUNTY, OKLAHOMA

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of November, 1999, a true and correct copy of the above and foregoing instrument was mailed to:

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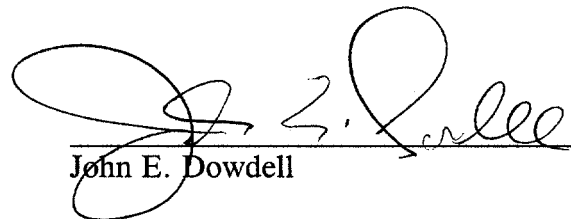
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